

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DANIEL RAMON MUNOZ,

Petitioner,

v.

Civ. 13-cv-0052 RB/RHS
Cr. 09-2968 RB

UNITED STATES OF AMERICA,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 20), filed December 4, 2013, which recommends dismissal of Petitioner Daniel Ramon Munoz's Motion Under 28 U.S.C. § 2255 To Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (Doc. 1). The time for filing objections expired December 23, 2013. No objections have been filed.

The Court has made a *de novo* determination and agrees with the Magistrate Judge's Proposed Findings and Recommended Disposition, and will deny Petitioner's 28 U.S.C. § 2255 Motion, and dismiss this civil proceeding with prejudice.

IT IS HEREBY ORDERED that the Proposed Findings and Recommended Disposition of the Magistrate Judge (**Doc. 20**) are adopted by the Court and Petitioner's Objections are hereby denied.

IT IS FURTHER ORDERED that the Motion Under 28 U.S.C. § 2255 To Vacate, Set

Aside or Correct Sentence by a Person in Federal Custody (**Doc. 1**) is **denied** and this civil proceeding is **dismissed with prejudice**.

SO ORDERED January 13, 2014.

A handwritten signature in black ink, appearing to read "Robert Brack", is written above a horizontal line.

ROBERT C. BRACK
UNITED STATES DISTRICT JUDGE